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Kay Armstrong Corners the Market in Hazardous Waste Cleanups and Community Relations

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The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) created the Hazardous Substance Superfund. It was intended to be a short-term program that would spend \$1.6 billion over five years to clean up 400 hazardous sites around the country. Instead, more than \$17 billion has been spent and only 212 sites (15% of the 1,439 listed since its inception) have been taken off the National Priority List (NPL). Finally realizing that there was a series need for reform, the EPA opted to turn over the responsibility for cleaning up these sites to the states-since they are "obviously" local problems.

As hazardous waste sites go, not even the residents of Wells, Maine, appeared to consider the Portland Bangor Waste Oil site (PBWO) a major threat to the habitat or their own well-being. The land surrounding the 10-acre site that contained four lagoons filled with oil sludge that had been dumped there since the 1950s, was forested and wildlife (like that big old turtle paddling around one pool) seemed to be thriving. And while the two homes closest to the site were now using bottled water or their wells were filtered, there didn't seem to be too much outcry about how the slow seepage of the oil sludge, as well as waste from septic tanks and cesspools, bilge water and even missile tube water from a military facility might eventually affect them.

The fact was, however, that after the Maine Department of Environmental Protection (ME DEP) conducted a series of environmental studies that stretched from the mid 1970s through 1992, it was determined that the PBWO site was Maine's largest Superfund site, at that time.

Over four million gallons of hazardous waste was collected from locations across northern New England and taken to the site. The government investigations identified petroleum-related compounds, including semi-volatile organic compounds (SVOCs) and volatile organic compounds (VOCs), as well as other contaminants, including poly-chlorinated biphenyls (PCBs) and metals (primarily lead) in the bottom of the lagoons, in the soil around the lagoons and the sludge spreading area. The investigation also detected VOCs in the groundwater at the site, as well as in two residential wells located within a mile of the site. The conclusion: the sediment and soil in the lagoons and the soil in the sludge spreading area presented an unacceptable risk and, therefore, required cleanup.

But how do you round up 2,900 responsible parties (RPs) that have been dumping their waste at the site for decades. And once it's public knowledge that there is a serious hazardous waste problem, how do you head off litigation-hungry lawyers from flocking to the community to round up potential clients. In the first scenario, with great difficulty; in the second, you go into a pro-active mode in communicating with the community.

"The problem had gone unresolved because there were 2,900 responsible parties and the state labored with every decision to get all of them to agree to fund the cleanup," said Kay Armstrong, president of Armstrong and Associates, a Kentucky-based community relations agency that specializes in environmental communications and conflict prevention and resolution for hazardous waste situations. "Since our client, TRC Companies, had assumed liability for all 2,900 parties, the state and TRC could make decisions and move forward with the cleanup in a more efficient manner."

Armstrong explained that with 35 years of environmental cleanup experience, TRC is an industry leader, as it were, in "buying out" the liability of RPs, which then negotiates a settlement with the state and begins cleanup. Nationally, TRC has spearheaded more than 40 cleanups or exit strategies. "The cleanup took place during the construction season of 2001. It was a model project and approach in a complicated project like this," she said.

Armstrong's role during the cleanup of the Portland Bangor Waste Oil site was to advise TRC in developing its communications strategy. She has worked with private companies and government agencies for more than 12 years, to guide them through the minefields of community relations to head off confrontations and possible litigation. Over the years, she has discovered that there is a vast chasm between how government agencies and private companies go about cleaning up hazardous waste sites.

"Private companies have to make a profit or they simply go out of existence. Government bureaucracies, on the other hand, are actually encouraged to do just the opposite," she said. "While government agencies may be restricted by a so-called budget, in reality, once a program gets funded, the impetus is there to continue funding at the same level, or higher if it can be justified. It would seem that incompetence can be justified. Private companies can be easier to work with, if you have an intelligent-or previously burned [by litigation]-client."

Armstrong explained that while the final cleanup is estimated to eventually cost \$15 million, the price tag at such sites could climb to calamitous levels if companies fail to consider the local communities' concerns. It might seem common sense would dictate that two-way communications be a priority. Such is not always the case, though. "What we do is not initially intuitive," Armstrong said. "Some government agencies, in particular, don't realize, at first, that the service we provide is money and time well spent. They soon discover, though, that it's cheaper to plan your work, and work your plan, as well as it's more enjoyable to create good relationships and results in order to avoid lawsuits that can ultimately cost significantly more. It's really a no-brainer."

Having specialized in advising companies and government agencies in hazardous waste cleanups, Armstrong no longer has to seek out potential clients. Referrals keep her on the environmental frontlines. Involved as she is in environmental issues, she is pragmatic about her contribution and association with cleaning up the nation's waste byproducts. "I'm not radical, but I do consider myself a steward of the earth," she said. "I recognize that our economy functions because profits can be made, and that's vitally important to Americans. We just have to figure smarter ways of being better stewards and how much we can afford as a society to 'live with.' These are philosophical questions that don't easily boil down to simplistic 'do-gooder' sounding 'isms.'"

She doesn't know of any other agency that works this realm. "It isn't something that one day you just decide to do," she said. "Getting into this field is more evolutionary than revolutionary."

A German linguistics major in college, she worked for a German engineering company for five years, then took a position at Murray State University, Kentucky, instructing soldiers from nearby Fort Campbell in a high school completion program. Later, her husband, Darryl, accepted a position in Oak Ridge, Tennessee, and she began working with a colleague there who was involved with the Superfund communications program, where she developed and delivered a series of communications-related workshops.

"I developed the workshops to help the technical staffs feel more comfortable and be more competent in public interactions," Armstrong said. "They had literally been in this pseudo 'secret society' before, but with the new status under CERCLA, they had to tell the public what their work was all about, and figure out how to incorporate the public's opinions into that process."

Kay and Darryl Armstrong work in tandem, he as a corporate and government facilitator and she as consultant to help their individual and combined clients effectively inform the public and also to learn to listen to what the public has to say in response. Their mission is to help their clients communicate so people understand what and why the company or agency is doing something in their community and to involve the community in decisions that impact them, with the goal of building rapport, trust and credibility. The difficult part, though, is not in educating the community, but their own clients.

"Sometimes it's difficult getting across to a new client why it's smarter to work the way we like to-start on

the front end by researching and assessing the public and their needs, then plan efforts, while evaluating our work throughout the process," she said. "That creates the easiest, most cost-effective effort, as well as the most pleasant and productive results. It's amazing, but this is often the hardest concept for them to comprehend.

"I think that in the technical community, it's difficult for those trained in the hard sciences [engineering, science, math] to appreciate that our specialties also follow systematic patterns, while being far more dynamic and organic than their typical 'equation-based' world. Gaining their understanding and trust is a process, developed over time as you work with those technical project managers."

Armstrong said the most common misstep organizations make is to blunder into the situation, making serious mistakes and discounting the power of an angry or frustrated public. "Suddenly, they find themselves in a conflict-riddled quagmire," she said. "Then, almost as an afterthought, they think we can magically extricate them from their creation. That's typically the client we'll say 'no thank you' to and move on."

Such was not the case at the Wells, Maine site. Since Kay had previous experience with TRC and had a good working relationship with Paola Macchiaroli, Ph.D., project manager for TRC, she was a natural choice to assist with establishing a viable communications program. "What is amazing to me," Dr. Macchiaroli said, "is how, when you have job to do and you are trying to accomplish it, you suddenly realize that the public perceives your work in an entirely different way." An added benefit, she pointed out, is the way Kay Armstrong and her company help bridge that gap in perception. "Armstrong and Associates provide a reality check. They remind us of how petitioners and private citizens might feel and react to our work. They help us see the project from a different angle, from the public's perspective."

Concurrent with the cleanup, Macchiaroli and Armstrong agreed they had to design, implement and monitor a comprehensive proactive communications and public involvement program. This is still considered a novel approach in engineering circles, where communications is typically on an 'as-needed' or 'have-to' basis. With minimal cost, they were able to secure significant public and political support throughout the project, while appreciably enhancing TRC's reputation.

"Among the tools we developed were video updates that were aired on the local-access television station, newsletters, personal contacts, formal public meetings, media interviews, a Web site [www.pbwo.homestead.com], and probably the most effective, were a number of informal coffee klatches," Armstrong said. "These were very popular and highly successful. Evaluations were on-going and plans were fine-tuned accordingly."

In the final newsletter to the community, December 2001, the results of the cleanup were outlined.

§ All the contaminated soil was removed and processed through a pug mill, mixed with ash and cement to form soil-crete, which was then used to form a mound or soil vault.

§ All equipment, work trailers, contractors and workers would be gone in the next few days.
§ Grass was planted on the re-graded, clean filled areas where contaminated soil once existed. The landscape is now a gently rolling slope.

The former hazardous waste site is now a community park-in-the-making. Overtures have been made to Barbara Bush to dedicate the site as her namesake. "They live just down the road, so we're hoping she will accept," Armstrong said. "It would be the icing on the cake to take a site from a disaster waiting to happen to a community jewel where neighbors and friends can picnic and play together. Overall, all the effort paid off for the company and the community."

Jon Carter, Wells town manager concurs: "It's been a pilot project in how to close a waste site in an alternative method. TRC has done a great job in communicating to the public as to what the cleanup would be like for them and how it would be done and, basically, the project stayed on track. To the other towns that have this same situation, I would suggest they take a look at the model set up by the Portland Bangor Waste project here in Maine, and consider attempting to copy it."

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